

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ORDER

AND NOW, this 23rd day of January, 2006, this matter coming before the Court on the Defendant's Post-trial Motion Pursuant to Federal Rule of Criminal Procedure 29(c) (Document No. 91), the Court finds that:

- 1) the jury's verdict was clearly not contrary to law;
- 2) the evidence is sufficient to sustain the guilty verdict at Count II of the Indictment;
- 3) Defendant's renewal of his pretrial suppression motion pursuant to Federal Rule of Criminal Procedure 29(c) is improper; and
- 4) even if the Defendant's renewal of his pretrial suppression motion was permitted under Federal Rule of Criminal Procedure 29(c), the pretrial ruling of this Court denying the suppression motion is determined to have been correct.

Accordingly, it is hereby ORDERED that Defendant Kenrick T. Primo's Post-trial Motion Pursuant to Federal Rule of Criminal Procedure Rule 29(c) is DENIED.

BY THE COURT:



**KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE**

cc: Arthur T. McQuillan, Esq.
John J. Valkovci, Jr., AUSA